

	<b>INDIANA DEPARTMENT OF CHILD SERVICES CHILD WELFARE MANUAL</b>	
	<b>Chapter 1:</b> Introduction	<b>Effective Date:</b> July 1, 2009
	<b>Section 3:</b> Regional Services Council	<b>Version:</b> 1

**POLICY [NEW]**

Each county in Indiana will participate in a Regional Services Council (RSC) for the service region in which the county is located. The Indiana Department of Child Services (DCS) will determine the county or counties that comprise each service region. A county may not be divided when establishing a service region.

The DCS Regional Manager will serve as the chairperson of the RSC. The council will select one (1) of its members as vice chairperson. See Related Information for the composition of the RSC.

While quarterly meetings are required by statute, the RSC will meet monthly in order to accomplish the following:

1. Evaluate local child welfare service needs and a determination of appropriate delivery mechanisms to meet those needs. The RSC will take public testimony regarding local service needs and system changes. The needs are to be tailored to those children and families:
  - a. Alleged to be or adjudicated in a Child in Need of Services (CHINS)/Informal Adjustment (IA)/Juvenile Delinquency (JD)/Juvenile Status (JS) proceeding, or
  - b. Identified by DCS as substantially at risk of becoming children in a CHINS/IA/JD/JS proceeding and have been referred to DCS for services (by or with the consent of the parent, guardian, or custodian), in accordance with a child's individual case plan.
  
2. Develop, approve and recommend a Biennial Regional Services Strategic Plan designed to meet the needs identified in #1 above and recommend allocation and distribution of funds allocated to the service region used for the expenses of child welfare programs and child services administered by DCS within the region. Public and private funds available for consideration by the RSC in the Plan include funds available through;
  - a. Title IV-B of the Social Security Act,
  - b. Title IV-E of the Social Security Act,
  - c. Title XX of the Social Security Act,
  - d. The Child Abuse and Prevention Treatment Act,
  - e. Special Education programs under [IC 20-35-6-2](#),
  - f. All programs designed to prevent child abuse, neglect or delinquency or to enhance child welfare and family preservation administered by or funded through DCS, DFR, prosecuting attorneys and juvenile courts, including programs funded through [IC 31-26-3.5](#) and [IC 31-40](#), and
  - g. A child advocacy fund.

3. Develop, review, or revise a strategy for implementation of an approved Regional Service Strategic Plan (Plan). Prepare, approve and recommend revisions, additions and updates to the Plan that identify:
  - a. The manner in which prevention and early intervention services will be provided or improved,
  - b. How local collaboration will improve children's services, and
  - c. How different funds can be used to serve children and families more effectively.
4. Review applications to establish, continue or modify child welfare programs for the region and make recommendations to the department director;
5. Prepare a local Child Protection Services Plan and recommend the plan to the DCS Director for approval;
6. Review the implementation of the Plan and prepare revisions, additions, or updates of the Plan that the RSC considers necessary or appropriate to improve the quality and efficiency of early intervention child welfare services provided in accordance with the Plan;
7. Reorganize as needed and select its vice chairperson for the ensuing year;
8. Collaborate with Central Office for obtaining services (Request for Proposals/RFPs); and
9. Make sure the meeting agenda, minutes and notices are posted on the DCS website.

The chairperson or vice chairperson of a RSC may convene any additional meetings of the RSC that are, in the chairperson's or vice chairperson's opinion, necessary or appropriate.

A majority of the voting members appointed to the RSC constitutes a quorum for the transaction of official business that includes taking final action (as defined in [IC 5-14-1.5-2\(g\)](#)). The RSC may hold a meeting in the absence of a quorum to discuss any items of public business related to its responsibilities and functions, without taking final action.

**Note:** All meetings of a RSC are subject to applicable provisions of [IC 5-14-1.5](#). The RSC meeting agenda and notes are posted and available to the general public on the DCS internet website at <http://www.in.gov/dcs/2346.htm>. See Related Information for specifics of the Open Door Law.

Each RSC through the Regional Manager (RM), will transmit copies of:

1. The Biennial Regional Services Strategic Plan;
2. Each local Child Protection Services Plan
3. Each annual report;
4. Each revised Plan; and
5. Any other report or document described by administrative rules to the following:
  - a. The Director,
  - b. DCS Central Office for posting on the DCS website,
  - c. Each DCS local office in the service region; and
  - d. Each juvenile court in the service region.

The RSC will publicize to residents of each county in the service region the existence and availability of the Plan, including information concerning access to the Plan on the DCS website.

Each RSC will transmit and recommend each Plan it develops and approves to the Agency Director. The council will transmit its biennial Plan to the Director not later than February 2 of each even-numbered year. All plans must be approved by the DCS Agency Director.

#### Code Reference

1. [IC 31-26-6: Regional Service Strategic Plans](#)
2. [IC 5-14-1.5: Public Meetings \(Open Door Law\)](#)
3. [IC 20-35-6-2: Contracts for services; payments of costs; rules](#)
4. [IC 31-26-3.5: Child Welfare Programs](#)
5. [IC 31-40: Juvenile Law: Funding](#)

### **PROCEDURE**

The DCS RM will:

1. Serve as the chairperson to conduct the RSC meeting;
2. Author the meeting minutes and distribute them to the members of the RSC;
3. Post the date, time, and location of monthly meetings at least 48 hours before the meeting. Once meeting schedules are established, annual posting of the regularly scheduled meetings will be placed on the DCS website. Updates regarding scheduling changes will be made as necessary;
4. Deliver a notice by regular mail, electronic mail or fax to all news media and other persons that request written notice; and
5. Post the Agenda no less than 48 hours prior to the start of the meeting at the entrance of the meeting location.

The DCS Agency Director or designee, not later than **60** days after receiving the Plan, will do **one (1)** of the following:

1. Approve the Plan as submitted by the RSC;
2. Approve the Plan with amendments, modifications, or revisions; or
3. Return the Plan to the RSC with directions concerning:
  - a. Subjects for further study and reconsideration, and
  - b. Resubmission of a revised Plan.

### **PRACTICE GUIDANCE**

#### **Participation in Meeting by Certain Means of Communication; Memoranda of Meeting**

This applies to a meeting of a RSC at which at least four (4) voting members of the Council are physically present at the place where the meeting is conducted.

A member of the RSC may participate in a RSC meeting in person or by speakerphone or other means of communication that allows all other members participating in the meeting and all members of the public physically present at the same place where the meeting is conducted to communicate simultaneously with each other during the meeting.

**Note:** A member who participates in a meeting is considered to be present at the meeting.

The memoranda of the meeting prepared under [IC 5-14-1.5-4](#) must state the name of each member who:

1. Was physically present at the place where the meeting was conducted;
2. Participated in the meeting by using a means of communication where all other members participating in the meeting and all members of the public physically present at the same place where the meeting is conducted to communicate simultaneously with each other during the meeting; or
3. Was absent.

## FORMS

[Regional Services Council Proxy](#) – Copy provided

## RELATED INFORMATION

### **Regional Services Council Membership**

The make-up of the RSC will depend on the number of counties in the region. If the service region consists of at least three (3) counties, the RSC is composed of the following members appointed from the service region:

1. The RM, who must be an employee of DCS;
2. Three (3) members who are juvenile court judges or their designees;
3. Three (3) DCS Local Office Directors (LOD);
4. Two (2) Family Case Manager (FCM) Supervisors;
5. Two (2) FCMs;
6. Two (2) licensed foster parents;
7. One (1) Guardian Ad litem (GAL) or Court Appointed Special Advocate (CASA);
8. One (1) member who is a prosecuting attorney or their designee;
9. One (1) non-voting individual who:
  - a. Is at least 16 and less than 25 years of age,
  - b. Is a resident of the service region, and
  - c. Has received or is receiving services through funds provided, directly or indirectly, through DCS; and

**Note:** This individual should not currently be participating in services to avoid potential ethical conflict situations for other members (this is to eliminate any potential conflict between the child or youth whose case may have been heard in the same court as the respective juvenile court judge who may be a member of the council).

10. (Optional) One (1) non-voting parent of a child who has received services through funds provided, directly or indirectly, by DCS.

If the service region consists of one (1) or two (2) counties, the RSC must include at least the following members from the service region:

1. Three (3) employees of DCS, including the RM;
2. One (1) juvenile court judge or judicial hearing officer;
3. Two (2) members who are designees of a juvenile court judge;

4. Two (2) FCM Supervisors;
5. Two (2) FCMs;
6. One (1) licensed foster parent;
7. One (1) GAL or CASA;
8. One (1) member who is a prosecuting attorney or their designee;
9. One (1) non-voting individual who:
  - a. Is at least 16 and less than 25 years of age,
  - b. Is a resident of the service region, and
  - c. Has received or is receiving services through funds provided, directly or indirectly, through DCS; and

**Note:** This individual should not currently be participating in services to avoid potential ethical conflict situations for other members (this is to eliminate any potential conflict between the child or youth whose case may have been heard in the same court as the respective juvenile court judge who may be a member of the council).

10. (Optional) One (1) non-voting parent of a child who has received services through funds provided, directly or indirectly, by DCS.

For service regions consisting of one (1) or two (2) counties, the DCS Agency Director will appoint the members of the RSC upon recommendation of the DCS RM with the exception of judges or judicial hearing officers and prosecuting attorneys or their designees.

**Note:** The juvenile court judges or their designees, one (1) juvenile court judge or judicial hearing officer, and members who are designees of a juvenile court judge will be selected by the juvenile court judge or judges in the service region.

**Note:** The prosecuting attorney or their designee will be selected by the prosecuting attorneys in the counties comprising the service region.

Each member of the RSC will serve upon the approval of the member's appointing authority.

### **Service Region**

A service region means an area of Indiana consisting of one (1) or more counties.

### **Proxy**

Members of the judiciary, prosecuting attorney, and DCS employees have the ability to appoint a proxy. The DCS RM will approve or deny all proxy requests. Proxy requests will utilize the [Regional Services Council Proxy](#) form, and approval of the proxy will be included in the minutes of the appropriate meeting. Proxies have voting rights.

### **Quorum**

A majority of the appointed voting members of the RSC or voting members representatives, or proxies, constitutes a quorum for the official business that includes taking final action (as defined in [IC 5-14-1.5-2\(g\)](#)). At least four (4) voting members of the RSC must be physically present to conduct business. The remaining membership may join telephonically or via videoconferencing. While electronic attendance is acceptable, no email voting is permissible. As

long as a majority of the voting membership is present (either physically or telephonically) the RSC can convene to conduct business. Agenda items can be discussed, but the RSC is unable to vote on action items unless a majority of the membership is physically or telephonically present.

### **Ethics**

As provided by 42 IAC 1-4-1, most members of the RSC, except judges and prosecutors, must complete online Ethics Training provided through the Office of the Inspector General. This requirement must be completed prior to the member or proxy member's attendance in a voting role for the RSC.

Proxies who are employees of the judicial or legislative departments of state government or are employees of political subdivisions or state educational institutions do not need to complete ethics training. Any other person serving as a proxy to a member of the RSC must complete the state-mandated ethics training as provided online by the Office of the Inspector General.

It is also important to remind all members of the RSC that confidentiality laws apply to the conversations held during the meetings, as they may be exposed to privileged information. Non-case specific information should be utilized as often as possible.

### **IC 5-14-1.5: Public Meetings (Open Door Law)**

RSC meetings fall under the Open Door Law as specified by [IC 5-14-1.5](#).

### **Early Intervention Programs**

These particular statutes (31-34-24 and 31-37-24) have been repealed and replaced by the Local Child Protection Services Plan.